

**SUPREME COURT MINUTES
MONDAY, AUGUST 4, 2008
SAN FRANCISCO, CALIFORNIA**

S143819 B179275 Second Appellate District, Div. 6 **RAMIREZ (MARIA DOLORES) v. NELSON (THOMAS)**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed, and the matter remanded for further proceedings consistent with the views expressed herein.

Opinion by: Baxter, J.

-----joined by: George, C. J., Kennard, Werdegar, Chin, Moreno, and Corrigan, JJ.

S148536 B189791 Second Appellate District, Div. 3 **PEOPLE v. SEGURA (LUIS GREGORIO)**

Opinion filed: Judgment reversed

Majority opinion by: George, C. J.

-----joined by: Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S143710 D045592 Fourth Appellate District, Div. 1 **VASQUEZ (CHRISTINA) v. STATE OF CALIFORNIA**

Motion to dismiss denied

Respondent's "Request for Judicial Notice," filed on June 22, 2007, is denied.

Respondent's "Motion to Dismiss Review," filed on December 13, 2006, is denied.

S033901 **PEOPLE v. THOMPSON (CATHERINE)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gail R.

Weinheimer's representation that she anticipates filing the reply brief by April 2009, counsel's request for an extension of time in which to file that brief is granted to October 6, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S048543 **PEOPLE v. ROUNTREE (CHARLES F.)**

Extension of time granted

Good cause appearing, and based upon counsel Peter R. Hensley's representation that he anticipates filing the appellant's opening brief by May 1, 2009, counsel's request for an extension of time in which to file that brief is granted to September 26, 2008. After that date, only four further extensions totaling about 217 additional days are contemplated.

S052210**PEOPLE v. RODRIGUEZ, JR.,
(JERRY)****Extension of time granted**

Good cause appearing, and based upon counsel Katherine Alfieri's representation that she anticipates filing the appellant's opening brief by June 2009, counsel's request for an extension of time in which to file that brief is granted to September 30, 2008. After that date, only four further extensions totaling about 240 additional days are contemplated.

S057156**PEOPLE v. CASE (CHARLES
EDWARD)****Extension of time granted**

Good cause appearing, and based upon Deputy State Public Defender Robin Kallman's representation that she anticipates filing the appellant's opening brief by December 2009, counsel's request for an extension of time in which to file that brief is granted to October 3, 2008. After that date, only seven further extensions totaling about 420 additional days are contemplated.

S062417**PEOPLE v. SILVERIA
(DANIEL TODD) & TRAVIS
(JOHN RAYMOND)****Extension of time granted**

Good cause appearing, and based upon Deputy State Public Defender John Fresquez's representation that he anticipates filing appellant Daniel Todd Silveria's opening brief by November 2009, counsel's request for an extension of time in which to file that brief is granted to October 7, 2008. After that date, only seven further extensions totaling about 390 additional days are contemplated.

S062417**PEOPLE v. SILVERIA
(DANIEL TODD) & TRAVIS
(JOHN RAYMOND)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that he anticipates filing appellant John Raymond Travis's opening brief by mid-2009, counsel's request for an extension of time in which to file that brief is granted to October 7, 2008. After that date, only four further extensions totaling about 240 additional days are contemplated.

S095868**PEOPLE v. DANIELS (DAVID
SCOTT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 3, 2008.

S096809**PEOPLE v. POYNTON
(RICHARD JAMES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to September 30, 2008.

S111336**FIGUEROA (VICENTE
BENAVIDES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kelly E. Lebel's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by August 5, 2009, counsel's request for an extension of time in which to file that document is granted to October 3, 2008. After that date, only five further extensions totaling about 300 additional days are contemplated.

S151222**LETNER, JR., (RICHARD LACY) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Harry Colombo's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by December 2008, counsel's request for an extension of time in which to file that document is granted to October 14, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S151243**TOBIN (CHRISTOPHER ALLAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Harry Colombo's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by February 2009, counsel's request for an extension of time in which to file that document is granted to October 14, 2008. After that date, only three further extensions totaling about 180 additional days are contemplated.

S156416

B195521 Second Appellate District, Div. 4

JACOBSON (ARNOLD) ON H.C.

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the respondent's response to the American Civil Liberties Union's amicus curiae brief is extended to September 11, 2008.

S160996**JACKSON (KEVIN LAMONT) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the respondent's informal response is extended to September 10, 2008.

S163819

H031395 Sixth Appellate District

HUYNH (NAM VAN) ON H.C.

Counsel appointment order filed

Upon request of petitioner for appointment of counsel, Keith Wattley is hereby appointed to represent petitioner on the appeal now pending in this court.

S130263**GAY (KENNETH EARL) ON
H.C.**

Order filed

Due to clerical error, the amended order filed on August 1, 2008, is hereby corrected to read in its entirety:

The Director of the Department of Corrections and Rehabilitation is ordered to show cause, when the matter is ordered on calendar, why petitioner is not entitled to relief on the ground of trial counsel's conflict of interest that prejudicially affected his representation at the guilt phase of petitioner's trial, and on the ground of trial counsel's failure to adequately investigate and present evidence at the guilt phase tending to show that petitioner did not participate in the murder of Officer Verna, as alleged in Claims Two and Three of the petition.

The written return is to be served on or before August 29, 2008.

At the joint request of the parties, all proceedings in the penalty retrial in *People v. Kenneth Earl Gay*, Los Angeles Superior Court Case No. A392702, are stayed pending further order of this court.

George, C. J., was recused and did not participate.

S159936**MADRIGAL (MANUAL) ON
H.C.**

Order filed

The order filed on July 9, 2008, denying the petition for writ of habeas corpus is amended to reflect the name above.

S165228**LUU (QUOC XUONG) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, First Appellate, District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.